

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>5/10/06</u>		2 Serial/Patent # <u>10/501,692</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
	Extension of Time			\$							
	Notice of Appeal/Appeal			\$							
	Petition			\$							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
<input checked="" type="checkbox"/>	Other	IFW	12/23/05	\$ 472.00							
		7 TOTAL AMOUNT OF REFUND		\$							
		8 TO BE REFUNDED BY:									
10 REASON:		Treasury Check									
<input checked="" type="checkbox"/>	Overpayment	X Credit Deposit A/C #:									
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">5</td> <td style="width: 20px;">0</td> <td style="width: 20px;">--</td> <td style="width: 20px;">2</td> <td style="width: 20px;">7</td> <td style="width: 20px;">1</td> <td style="width: 20px;">9</td> </tr> </table>			5	0	--	2	7	1	9
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<input checked="" type="checkbox"/>	No Fee Due (Explanation):										
<i>filing fees overpaid, no fee due since postcard receipt is proof of filing of spec</i>											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Patricia Faison-Ball</u>		TITLE: <u>Attorney</u>									
SIGNATURE: <u>Patricia Faison-Ball</u>		PHONE: <u>23212</u>									
OFFICE: <u>Petitions</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u>CKH</u>		DATE: <u>5/11/06</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/501,692 Customer No. 035811
Filed : July 15, 2004
Inventors : Richard Smith-Carliss Docket: END-04-1182PCT-US
 : Frank S. Caruso
 : Peter Crooks Confirmation No.: 4419
 : Kenneth J. Kellar
 : Yingxian Xiao
Title : ANALGESICS AND METHODS
 : OF USE

Dated: December 21, 2005

**PETITION IN RESPONSE TO NOTICE OF
INCOMPLETE NONPROVISIONAL APPLICATION**

Mail Stop Petitions

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants are in receipt of a Notice of Incomplete Nonprovisional Application dated October 21, 2005, copy enclosed. It is indicated in that Notice that the specification is missing, the specification does not include at least one claim, the basic filing fee is missing, and that a new Declaration is now required.

The Applicants respectfully submit that the Applicants are entitled to a filing date of July 15, 2004, since the specification (26 pages), claims (13 pages), abstract and drawings (14 sheets) were filed on July 15, 2004.

A copy of the return postcard acknowledging receipt of the specification, claims, abstract, drawings and the filing fee is enclosed as well as a convenience copy of the specification, claims, abstract and drawings. The filing fee of \$1072.00 included with the application as filed was credited to Deposit Account No. 50-2719 on March 4, 2005 for reasons unknown to the Applicants.

The Declaration was submitted on February 18, 2005, along with the \$130.00 surcharge. A copy of the Declaration is enclosed along with a copy of the return postcard acknowledging receipt

Adjustment date: 05/11/2006 CKHLOK
12/28/2005 GFREY1 00000150 10501692
04 FC:1206 -472.00 OP

Repln. Ref: 05/11/2006 CKHLOK 0008131800
DAW:502719 Name/Number:10501692
FC: 9204 \$472.00 CR

on February 18, 2005.

The Applicants enclose a check in the amount of \$1472.00 which covers both the application filing fee and the petition fee. Once the application is officially accorded its proper filing date of July 15, 2004, the Applicants respectfully request a refund of the \$400.00 petition fee since the required documents were timely filed.

Respectfully submitted,



T. Daniel Christenbury
Reg. No. 31,750
Attorney for Applicants

TDC:cc
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